

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION  
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ABAG, SF Bay  
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TO: All Commissioners and Alternates  
FROM: Charles R. Roberts, Executive Director  
SUBJECT: Staff Recommendation on ABAG Draft Environmental Management Plan  
(For Commission consideration of February 2, 1978)

Background.

The Association of Bay Area Governments (ABAG) has been designated by the State and Federal governments to prepare an Environmental Management Plan for San Francisco Bay. This plan is to encompass air and water quality, water supply and solid waste disposal concerns, and is to include development of a continuing planning process to monitor and implement the plan. The development of the plan during the last 1-1/2 years has required an elaborate organizational framework, centering on a 44-member Environmental Management Task Force (EMTF). BCDC has participated in the this planning effort through representation on the Task Force by Vice Chairman Watkins, and through staff monitoring of the technical work. The Task Force has recently released a draft Environmental Management Plan. The EMTF process has a rather tight deadline for public review, adoption, and final consideration of the plan by the ABAG General Assembly.

Much of the ABAG staff and Task Force effort has centered on meeting Federal air quality standards, and this issue has received extensive media coverage and has caused the most public debate. At the same time, the draft plan contains numerous other recommendations that could have a significant effect on the way the environment of the Bay Area is managed in the future.

The draft plan does not propose any major reorganization of government structure or responsibilities at this time, but it does identify a myriad of specific tasks to be carried out by various levels of governments and public agencies.

Recommendations of Direct Relevance to BCDC

The major area of the plan that involves BCDC's jurisdiction is water quality. In general, the draft plan is consistent with and supportive of BCDC policy in regard to achieving and maintaining high water quality standards for the Bay, including the assurance of adequate Delta inflow. Only one area of recommendation in the plan specifically identifies BCDC as lead agency in implementation. Policy 11, page III-55, is quoted below.



Policy 11. Monitor Effectiveness of Existing Arrangements  
for Preventing and Cleaning-up Oil and Chemical Spills.

Responsibility for prevention and clean-up of oil and chemical spills is shared by many agencies. Each agency deals with a part of the problem. Because of the division of responsibility it is difficult for policy makers and the public at large to determine whether present practices are effective.

Actions

The key action is designation of a single agency to provide an overview of existing practices. This agency would monitor the performance of all other agencies dealing with spill prevention and clean-up. An annual report to the Environmental Protection Plan Administrator and the Governor would be prepared identifying any problems with existing practices. The agency could act as coordinator for the other agencies dealing with spills if this was determined to be necessary.

Under Water Quality Action 12.1 and 12.2 of the plan (p. III-102), it is recommended that BCDC monitor all agencies dealing with spills, including U. S. Coast Guard, the Environmental Protection Agency, the Regional Water Quality Control Board, county emergency services, fire departments, and local contractors. It is further recommended that BCDC make a yearly report to the Governor, the Environmental Protection Agency and the Secretary of Transportation on spill prevention and on clean up performance and coordination for the Bay Area. The cost of carrying out these responsibilities is estimated at \$30,000 per year.

Staff Analysis of Recommendations

The above recommendations would obviously involve BCDC in an area which is outside of its current activities. In addition to adding new functional concerns to BCDC's mandate in the form of administrative oversight of spill prevention plans and spill clean-up emergency plans and programs, it would also apparently involve BCDC in spills in coastal waters outside of the Bay, and also possibly in land based oil disposal that may eventually enter the Bay or coastal waters.

While the staff feels that some oversight or coordinative role may be justified in terms of Bay Area spill prevention and clean-up, it also feels that two existing interagency groups would more appropriate for investigating and possibly administering this function. One of these is the State Interagency Oil Spill Committee (SIOSC), which is made up of 13 agencies with responsibility for day-to-day oil spill efforts of planning, inspection and clean-up. Both the Regional Water Quality Control Board and the Department of Fish and Game, are represented on this committee. The SIOSC is responsible for establishing and maintaining liaison with federal, local, public and



private organizations engaged in oil pollution and prevention and control. The Committee also provides coordination between State agencies and other organizations in day-to-day procedures and practices relative to the prevention and mitigation of oil pollution.

Secondly, within the Resources Agency, a Tanker Task Force has been recently established to examine the extent and adequacy of State involvement in the issues of tanker safety, terminal operations, and hazardous materials spill prevention, clean-up and liability. A BCDC staff member sits on this Task Force. The need for better coordination between State and Federal regulatory agencies is one of this group's specific areas of investigation.

It seems to the staff that a State committee, or possibly a single State agency with direct responsibility for spill prevention or clean-up, would be better suited for assuming any additional spill prevention and clean-up coordinative duties that are required. In that oil spills are of State concern, if not national concern, the use of a State interagency committee seems particularly appropriate for determining how this role should be carried out.

#### Staff Recommendation

The staff recommends (1) that the Commission direct its representative on the Environmental Management Task Force to submit comments to the EMTF, suggesting that BCDC is not the appropriate agency for assuming a new coordinative function over oil spills, and (2) that the EMTF should request the Resources Agency's Tanker Task Force to determine (a) if the spill prevention and a clean-up coordinative role cited in the EMTF draft plan is needed, and (b) if it is, to determine which State agency, or group of State agencies, should be given responsibility for this role.

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